

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARCUS MAGNUM REIGN,

Petitioner,

Case No. 2:17-cv-11692
Hon. Gershwin A. Drain

v.

LORI GIDLEY,

Respondent.

ORDER DENYING MOTION FOR RECONSIDERATION [10]

Petitioner Marcus Magnum Reign, a Michigan state prisoner, filed this case under 28 U.S.C. § 2254, challenging his armed robbery conviction. On October 31, 2017, the Court denied Reign's petition after finding that his claims lacked merit. *See* Dkt. No. 8.

On November 9, 2017, Petitioner filed a Motion for Reconsideration. This motion is presently before the Court. The Court finds that there is not good cause for Petitioner's motion, and thus, will DENY the motion.

Local Rule 7.1(h) allows a party to file a motion for reconsideration. E.D. MICH. L.R. 7.1(h). A court will not grant a motion for reconsideration, however, if it presents issues already decided by the court, either expressly or by reasonable implication. *Ford Motor Co. v. Greatdomains.com, Inc.*, 177 F. Supp. 2d 628, 632

(E.D. Mich. 2001) (citations omitted); *see also* E.D. MICH. L.R. 7.1(h)(3). Indeed, to warrant reconsideration, “[a] movant must not only demonstrate a palpable defect by which the Court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.” E.D. MICH. L.R. 7.1(h)(3). “ ‘A “palpable defect” is a defect that is obvious, clear, unmistakable, manifest or plain.’ ” *Witzke v. Hiller*, 972 F. Supp. 426, 427 (E.D. Mich. 1997) (citing Webster’s New World Dictionary 974 (3rd Ed. 1988)).

Petitioner has not met this standard. The arguments presented in his motion for reconsideration were raised in the initial petition and rejected by the Court—either explicitly or by implication—in the Opinion denying the petition. Specifically, Petitioner argues in both the initial petition and the motion for reconsideration that the sentencing court improperly considered evidence that he had prior convictions and gave a false name to the police.

Based on the foregoing, then, Petitioner’s Motion for Reconsideration is **DENIED**.

IT IS SO ORDERED.

Dated: December 18, 2017

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on December 18, 2017, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk